

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
ERIE DIVISION**

NANCY STEVENSON,	:	
	:	CASE NO. CA-05-184-SJM
Plaintiff,	:	
	:	Judge Sean J. McLaughlin
v.	:	
	:	
BEVERLY HEALTH CARE	:	
(Rehabilitation, Inc.), ¹	:	
	:	
Defendant.	:	
	:	

FED. R. CIV. P. 26(f) REPORT OF THE PARTIES

1. Identification of counsel: Plaintiff Nancy Stevenson is represented by: Neal A. Sanders, Law Offices of Neal Sanders, 1924 North Main Street Extension, Butler, PA 16011; phone: 724.282.7771; facsimile: 724.285.6341; e-mail: dbeuth@penn.com.

Defendant Beverly Enterprises - Pennsylvania, Inc. d/b/a Beverly Healthcare - Oil City is represented by Charles M. Roesch, Dinsmore & Shohl LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202; phone: 513.977.8200; facsimile: 513.977.8141; e-mail: croesch@dinslaw.com. Of counsel for Beverly Enterprises - Pennsylvania, Inc. d/b/a Beverly Healthcare - Oil City is Stephanie Bauer Daniel, Dinsmore & Shohl LLP, 1900 Chemed Center, 255 East Fifth Street, Cincinnati, OH 45202; phone: 513.977.8200; facsimile: 513.977.8141; e-mail: Stephanie.Daniel@dinslaw.com. Ms. Daniel will seek to become admitted to practice before the Court. Plaintiff does not object to Ms. Daniel's admission to this Court.

¹ Defendant has been improperly identified as "Beverly Health Care (Rehabilitation, Inc.)" Defendant respectfully requests that the docket be changed to reflect Defendant's proper corporate name, "Beverly Enterprises -Pennsylvania, Inc d/b/a Beverly Healthcare -Oil City." Plaintiff's counsel is in Agreement, and all future pleadings will reflect the proper Defendant's name.

2. General Nature of the Case: This lawsuit involves claims brought by Nancy Stevenson ("Plaintiff") against her former employer Beverly Enterprises - Pennsylvania, Inc. d/b/a Beverly Healthcare - Oil City ("Defendant"). Plaintiff alleges that her employment with Defendant was terminated in violation of Title VII of the Civil Rights Act of 1964 ("Title VII") and the Age Discrimination in Employment Act ("ADEA"). Defendant denies that it engaged in any conduct in violation of Title VII, the ADEA, or any other federal or state law pertaining to employment.

3. Date of Rule 26(f) Conference: September 15, 2005. The conference was attended by Neal A. Sanders, attorney for Defendant, and Charles M. Roesch and Stephanie Bauer Daniel, attorneys for Defendant.

4. Date of Rule 16 Initial Scheduling Conference: The Rule 16 Initial Scheduling Conference is currently scheduled for Thursday, October 20, 2005. However, counsel for Defendant, Charles M. Roesch, has a conflict on that day, and after conferring with counsel for Plaintiff, will seek to reschedule the rule 16 Initial Scheduling Conference with the Court. Counsel for Plaintiff consents to an alternated date for the Initial Scheduling Conference.

5. Fed. R. Civ. P. 12 Motions: At this time, no Fed. R. Civ. P. 12 Motions have been filed by either party.

6. Alternative Dispute Resolution: The parties are open to considering mediation.

7. Proposed Changes to the Timing, Form or Requirements of Fed. R. Civ. P. 26(a): The parties will exchange initial disclosures required by Rule 26(a)(1) by October 20, 2005.

8. Subjects on which Fact Discovery May Be Needed: The parties anticipate discovery will be done on all issues related to liability and damages.

9. Suggested Dates:

- a. Initial Disclosures: October 20, 2005.
- b. Date by which any additional parties shall be joined: November 7, 2005.
- c. Date by which the pleadings shall be amended: December 7, 2005.
- d. Date by which fact discovery should be completed: March 30, 2006.
- e. The Parties believe that all discovery can be conducted at one time.
- f. Date by which plaintiff's expert reports should be filed: April 30, 2006.
- g. Date by which depositions of plaintiff's experts(s) should be completed: May 18, 2006.
- h. Date by which defendant's expert reports should be filed: May 31, 2006.
- i. Date by which depositions of defendant's expert(s) should be completed: June 18, 2005.
- j. Date by which third party expert's reports should be filed: not applicable
- k. Date by which depositions of third party's expert(s) should be completed: not applicable.

10. Proposed Changes to the Limitations on Discovery: The parties do not anticipate needing any changes in the limitations on discovery under the Federal Rules of Civil Procedure or local rules of this Court. To the extent changes are necessary, the parties agree to confer and attempt to reach an agreement as to such changes.

11. Special Deadlines, Procedures or Orders Dealing with Discovery of Electronically-Stored Information: The parties do not anticipate any special deadlines, procedures or orders for dealing with electronic discovery.

12. Election to Schedule Post-Discovery Status Conference Following the Completion of Fact or Expert Discovery: To be set by the Court.

13. Other Order(s) the Parties Agree Should be Entered Pursuant to Fed. R. Civ. P. 16(b) or 26(c): The Parties anticipate asking the Court to enter a Consent Protective Order regarding medical records, business records and all related employee records..

14. Appointment of Special Master: The parties do not anticipate the need for a special master.

15. Matters on which Agreement Cannot Be Reached: None at this time.

16. Settlement Negotiations: See Paragraph 6 herein; the parties are willing to consider mediation.

Jointly Submitted on this ____ day of _____, 2005,

s/ Neal A. Sanders

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